

REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims Status

Claims 1, 3, 5-7, 9, 12, and 17 remain pending for consideration, with claims 1, 12, and 17 being independent.

Art Rejections

Claims 1, 3, 6, 7, 9, 12, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,937,148 to Okazawa (hereinafter “Okazawa”) in view of U.S. Patent No. 5,517,649 to McLean (hereinafter “McLean”) and U.S. Patent No. 6,347,202 to Shishizuka et al. (hereinafter “Shishizuka et al.”).

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Okazawa as modified by McLean and Shishizuka et al. in view of U.S. Patent No. 6,795,829 to Alsop (hereinafter “Alsop”).

Response to Art Rejections

Applicant submits that the cited art in any combination does not teach or suggest many features of the present invention, as previously recited in claims 1, 3, 5-7, 9, 12, and 17. Therefore, these rejections are respectfully traversed.

In one aspect of the present invention, independent claim 1 recites an image processing apparatus having a plurality of operation modes and including, *inter alia*, specifying means,

timing means, memory means, calculation means, preparation means, and output means. The specifying means specifies an operator of the apparatus. The timing means times an operation time for each operation mode, as well as an operation time for the operator. The memory means stores a power consumption per unit time for each operation mode. The calculation means calculates a power consumption amount for the specified operator based on the power consumption amount per unit time and the operation times. The preparation means prepares statistical information concerning the power consumption amount. The output means performs an output of the statistical information. Applicant submits that the cited art, even if considered in combination, does not render obvious this combination of features.

Okazawa discloses an image processing apparatus having a plurality of operation modes including a mode for outputting print data received from outside of the image processing apparatus.

The Examiner submits that Okazawa provides for a memory means in Figure 1 (RAM 116) and in column 7, lines 64-65. Specifically, the memory means acquires information in the status area of the RAM (i.e., power on state, standby state, and sleep state) and that it is possible to read data from RAM even in the sleep state. (Col. 7, line 62 to col. 8, line 2).

The Examiner also submits that Okazawa discloses a calculating means in Figure 1 (CPU 114) and in column 4, lines 33-41. Specifically, Okazawa teaches that the CPU 114 uses the RAM as a work memory in accordance with an image processing program, and that the RAM stores the status information of the apparatus. (Col. 4, lines 36-41).

Applicant, respectfully, submits that the memory means and calculating means as recited in independent claim 1 are not provided for in Okazawa. While Okazawa does teach the storing of the status information of the apparatus, nothing in Okazawa discloses or suggests that the

RAM stores a power consumption amount per unit time. Further, Okazawa, does not teach or suggest the calculating of power consumption amount of the image processing apparatus for the specified operator based on the power consumption amount per unit time stored by a memory means and the operation timed by a timing means. For example, Okazawa does not calculate the power consumption amount of 100Wh when the power consumption amount per unit time is 100W and the operation time is 1 hour. Thus, Okazawa fails to disclose or suggest the image processing apparatus recited in claim 1, and Applicant believes that the present invention recited in that claim is patentably distinguishable from Okazawa.

McLean discloses a data processing apparatus for compiling statistical information about power consumption of the apparatus. The Examiner submits that McLean provides for a memory means for storing a power consumption amount per unit time for each of the plurality of operation modes in Figure 2, which is a histogram detailing the percentage of requests executed when the disk drive is in active mode and when in sleep mode. Further, the Examiner submits that McLean discloses a calculation means for calculating a power consumption amount of the image processing apparatus for the specified operator based on the power consumption amount per unit time stored by said memory means and the operation times timed by said timing means. (Fig. 2 and col. 5).

Applicant, respectfully, submits that the memory means and calculating means as recited in independent claim 1 are not provided for in McLean. While McLean does teach the calculating of the average power consumed, nothing in McLean discloses or suggests that the calculation is based on the power consumption amount per unit time and the operation times timed by the timing means. Rather, the calculations in McLean are based on either the average power consumption and/or the average time. (Col. 5, line 1 to col. 6, line 30). Further, the power

consumption amount per unit time is not stored on a memory means. Rather, this data is obtained from a specification sheet of a particular disk drive or the rule of thumb value is used. (Col. 6, lines 31-37). Thus, McLean fails to disclose or suggest the image processing apparatus recited in claim 1, and Applicant believes that the present invention recited in that claim is patentably distinguishable from McLean.

The other secondary citations to Shishizuka et al. and Alsop fail to compensate for the deficiencies in Okazawa and McLean. Shishizuka et al. discloses a multi-mode image processing apparatus, which includes monitoring and other analysis of power consumption. Alsop discloses a communications network connected to a central computer and multiple other terminals. However, neither Shishizuka et al., or Alsop contemplates an image processing apparatus that includes memory means for storing a power consumption per unit time for each operation mode or a calculation means to calculate a power consumption amount for the specified operator based on the power consumption amount per unit time and the operation times. Therefore, Applicant further believes that the present invention recited in independent claim 1 is patentably distinguishable from any combination of all of the cited art.

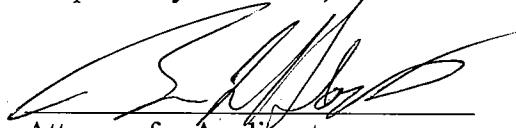
The other independent claims, i.e., claims 12 and 17, recite features similar to those discussed above with regard to claim 1. Specifically, both of these claims include the steps of reading out power consumption amount per unit time data for each of the plurality of operation modes and calculating a power consumption amount of the image processing apparatus for the operator based on the power consumption amount per unit time data and the operation time data. Applicant believes that the reasoning set forth above with respect to claim 1 is equally applicable to claims 12 and 17. Therefore, Applicant submits that the present invention, as recited in these claims, also is patentably distinguishable from any combination of the cited art.

Dependent claims 3, 5-7, and 9 also should be deemed allowable by virtue of their dependency from independent claim 1, as well as in their own right for defining other patentable features of the present invention beyond those recited claim 1. Further individual consideration of these dependent claims is requested.

Applicant submits that the instant application is in condition for allowance. Applicant requests favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowance.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', written over a horizontal line.

Attorney for Applicant
Brian L. Klock
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCHS_WS 2304208_1